

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CURTIS McDANIEL,

Plaintiff,

-against-

THE PEOPLE OF THE CITY OF NEW  
YORK, et al.,

Defendants.

19-CV-11265 (CM)

ORDER

COLLEEN McMAHON, Chief United States District Judge:

Plaintiff, while detained at Rikers Island, filed this *pro se* action under 42 U.S.C. § 1983.

On January 28, 2020, the Court granted Plaintiff leave to amend his complaint within 60 days.

On March 17, 2020, the Court received a letter from Plaintiff requesting an additional 60 days to comply. (ECF No. 7.) Plaintiff asserts that his receipt of the order to amend was delayed because his custody was transferred to the New York State Department of Corrections and Community Supervision and he is now incarcerated at Bare Hill Correctional Facility. Plaintiff's request for an extension of time to file the amended complaint is GRANTED.

The Court grants Plaintiff leave to file his amended complaint, as specified by the January 28, 2020 order, within 60 days of the date of this order. No further extensions will be granted. If Plaintiff fails to comply within the time allowed and cannot show good cause to excuse such failure, this action will be dismissed for failure to state a claim upon which relief may be granted.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an

appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: March 18, 2020  
New York, New York



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COLLEEN McMAHON  
Chief United States District Judge